

(VII) SUCH OTHER PROVISIONS AS THE BOARD CONSIDERS NECESSARY OR APPROPRIATE TO ENCOURAGE PARTICIPATION BY MINORITY BUSINESS ENTERPRISES, IN-THE-SUBCONTRACTING-PROCESS AND TO PROTECT THE INTEGRITY OF THE PROCUREMENT PROCESS.

(c) (1) Subject to Article 40, § 51 of the Code, each department shall make a report annually within 90 days following the close of the fiscal year to the Board, the Legislative Policy Committee of the Maryland General Assembly, and the Governor's Office of Minority Affairs of the total number and value of its purchases from minority business enterprises, and the percentage which those purchases represent of its total number and value of its purchases for the preceding fiscal year.

(2) EACH PROCUREMENT AGENCY, OTHER THAN THE DEPARTMENTS, SHALL COMPILE, TO THE EXTENT AVAILABLE, THE INFORMATION SPECIFIED IN PARAGRAPH (1) OF THIS SUBSECTION. NOT LATER THAN 90 DAYS FOLLOWING THE CLOSE OF EACH FISCAL YEAR, EACH PROCUREMENT AGENCY SHALL TRANSMIT THAT INFORMATION TO THE GOVERNOR'S OFFICE OF MINORITY AFFAIRS AND ADDITIONALLY SHALL STATE WHATEVER STEPS IT HAS TAKEN TO COMPLY WITH PARAGRAPH (B)(3) OF THIS SECTION. THE GOVERNOR'S OFFICE OF MINORITY AFFAIRS SHALL REPORT NOT LATER THAN THE END OF THE CALENDAR YEAR TO THE LEGISLATIVE POLICY COMMITTEE, SUMMARIZING THE INFORMATION SUBMITTED UNDER THIS PARAGRAPH BY PROCUREMENT AGENCIES.

(3) THE LEGISLATIVE POLICY COMMITTEE SHALL DIRECT AT LEAST 1 STANDING COMMITTEE OF THE HOUSE OF DELEGATES AND 1 STANDING COMMITTEE OF THE SENATE OF MARYLAND TO REVIEW ANNUALLY THE PERFORMANCE OF STATE AGENCIES UNDER THIS SUBTITLE AS REPORTED IN PARAGRAPHS (1) AND (2) OF THIS SUBSECTION.

(d) A department may suspend the provisions of subsection (b) if it concludes they conflict with any applicable federal program requirement. Any such suspension shall be in writing and shall be included with the report required by subsection (c).

(e) (1) A person may not:

(i) Fraudulently obtain, retain, attempt to obtain or retain, or aid another in fraudulently obtaining or retaining or attempting to obtain or retain certification as a minority business enterprise for the purposes of this subtitle;

(ii) Willfully make a false statement, whether by affidavit, report, or other representation, to a State official or employee for the purpose of influencing the certification or denial of certification of any entity as a minority business enterprise;

(iii) Willfully obstruct, impede, or attempt to obstruct or impede any State official or employee who is investigating the qualifications of a business entity which has requested certification as a minority business enterprise; or